

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. CR 19-MJ-971
)	
TROY LIVINGSTON,)	
Defendant.)	

MOTION TO WITHDRAW AS COUNSEL FOR THE DEFENDANT

TROY LIVINGSTON Defendant, by and through his attorney, Assistant Federal Public Defender Mallory Gagan, hereby moves this Court for an order allowing counsel to withdraw as the attorney for Mr. Livingston, the Defendant in the above matter.

As grounds for this request, counsel for the defendant states:

1. Counsel has learned that a conflict exists within the Federal Public Defender's Office. As such, undersigned counsel must withdraw as counsel for Mr. Livingston.
2. Should this Court request more information concerning the basis of this motion, counsel respectfully requests that this be addressed in an *ex parte* setting with the Court.
3. The government takes no position on this motion.

WHEREFORE, Mr. Livingston respectfully requests that the Court allow undersigned counsel to withdraw as Mr. Livingston's attorney. Mr. Livingston is indigent, and requests the Court appoint an attorney from the CJA panel to represent him.

Respectfully Submitted,

FEDERAL PUBLIC DEFENDER

111 Lomas NW, Suite 501

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(505) 346-2489

Electronically filed July 2, 2019

/s/ Mallory Gagan

Assistant Federal Public Defender